

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

JACQUELINE BROWN,

Plaintiff,

v.

CIVIL ACTION NO. 2:15-cv-12866

BOSTON SCIENTIFIC CORPORATION,

Defendant.

MEMORANADUM OPINION AND ORDER

On September 25, 2020, I entered an order directing plaintiff to show cause on or before October 26, 2020, why her case should not be dismissed as to Boston Scientific Corporation (“BSC”) for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure.

Plaintiff has not responded to the Show Cause Order. The court **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), that defendant, BSC, is dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to close the case and strike it from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: October 27, 2020


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE